

PHASE I GSA FEASIBILITY STUDY
U.S. COURTHOUSE McAllen, TX



TABLE OF CONTENTS

- PURPOSE - PHASE I GSA FEASIBILITY STUDY
- PHASE I GSA FEASIBILITY STUDY GOALS
- PROJECT NARRATIVE
- EXISTING BUILDING CONDITIONS
- AGENCY REQUIREMENTS
- DESIGN OPTIONS



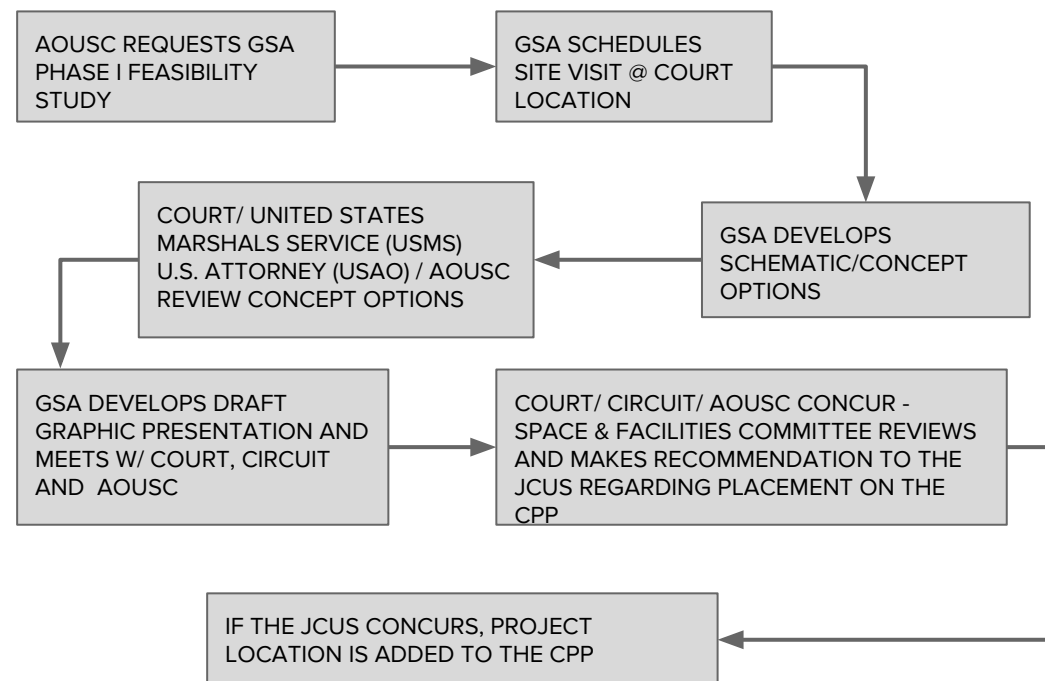
PURPOSE OF PHASE I GSA FEASIBILITY STUDY

- Prior to the initiation of a Feasibility Study (FS), a request from the Judiciary must be submitted to the General Services Administration (GSA) to perform a phase 1 FS. A FS is required in order for the Judicial Conference of the United States (JCUS) to consider whether a project/location will be placed on the Judiciary's Courthouse Project Priorities (CPP), formerly the Judiciary's Five Year Courthouse Project Plan.
- The phase 1 FS was developed in response to GSA spending millions completing A/E directed courthouse FS only to have those projects languish on the then Five-Year-Plan. By the time projects were funded, the information was outdated, requiring a new FS.
- In 2016, a two-phase process was developed and agreed to between the Judiciary and GSA as a more cost effective approach:

PHASE 1: Internal GSA study developed in conjunction with the Administrative Office of the United States Courts (AOUSC), the court, and the circuit, identifying alternatives (with simple blocking and stacking) and costs (benchmark and/or parametric estimates) which the Judiciary then considers in its deliberations to place a location/project on the CPP.

PHASE 2: When a project is placed on the CPP and generally is within three years of funding, an A/E directed Phase 2 FS is initiated.

PHASE I GSA FEASIBILITY STUDY FLOW CHART



PHASE I GSA FEASIBILITY STUDY GOALS

As part of this Phase I Feasibility Study, key objectives to be explored and addressed include the following:

1. Quality and Performance Standards

Existing Facility does not meet current quality and performance requirements or applicable Agency reference standards. Upgrade/modernize existing systems and spaces to meet current standards such as:

- PBS-P100, Facilities Standards for the Public Buildings Service – 2016
- U.S. Courts Design Guide, 2007, selected chapters revised 2016
- USMS Publication 64, Requirements and Specifications for Special Purpose and Support Space, Volumes I, II (2014), III (2005)

2. Functionality

The study must address the changing needs and growth of the U.S. Courts, USMS and U.S. Attorney's Office and effectively meet all the space/facility needs of the Tenants- both now and into the future.

3. Security

Existing circulation does not provide required secure separation of Judges, Public or Prisoners. Internal and external circulation must be greatly improved to afford safety and security for the Building Occupants and the Public.

PROJECT NARRATIVE

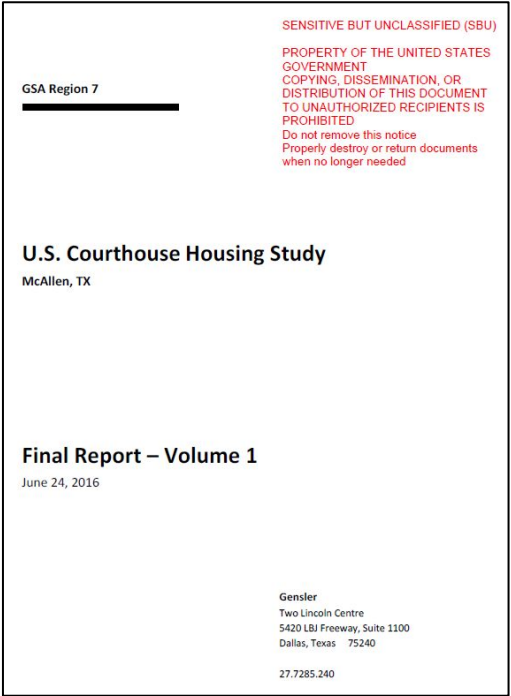
The U.S. Courthouse is located in leased space in Bentsen Tower (1701 W. Business Hwy 83), in downtown McAllen, five miles from the U.S.-Mexico border. The 11-story building houses the U.S. District/Bankruptcy Court, Probation Office, Federal Public Defender, U.S. Attorney’s Office, U.S. Marshals Service, and the Department of Homeland Security. The facility is the oldest building in GSA’s McAllen portfolio, constructed in 1982, and leased by GSA in 1987 when the Southern District of Texas expanded their operations and established McAllen as a place of holding court. When the court arrived, they were one of many tenants in the building. Housing the court in Bentsen Tower was considered a temporary solution until a U.S. Courthouse could be constructed.

Only federal tenants occupy the Bentsen Tower today. GSA does not lease the entire building, and a few areas of the building are vacant. GSA currently has three leases within the building:

- U.S. Court, Probation (USPO), Federal Public Defender (FPD), and U.S. Attorney’s Office
- Department of Homeland Security’s Office of the Inspector General
- U.S. Marshals Service

The current lease expiration for all federal tenants is 8/30/2020.

An in-depth Housing Study dated June 24, 2016, found that a new stand alone U.S. Courthouse is the preferred alternative. The executive summary of the housing study is included on the next page for reference.



This GSA Phase 1 Feasibility Study builds upon the 2016 Housing Study and looks at (4) new construction options to house the U.S. Courts and related agencies.

1. EXECUTIVE SUMMARY

In July of 2014, Gensler and their consultants were engaged by GSA to develop a Housing Study for the McAllen federal portfolio in McAllen, Texas. This portfolio includes various government agencies as well as the U.S. District Courts and their related facilities. The Government currently leases space in McAllen to house almost all agencies (95%) and does not own a federal office building or a U.S. Courthouse in McAllen. GSA has investigated the opportunity to better house the courts and executive agencies and satisfy their space requirements in support of their mission and operations. This report is a housing study to identify the various possibilities to house the federal community.

This study concludes that the federal executive agencies are adequately housed for the accomplishment of their missions, for now and for the foreseeable future in leased space. However, this report will show that this may not be true for the current courthouse facilities.

The federal courthouse is one of the most complex building types in terms of functions, public use, circulation, and security. On the southern border, there is increasing caseload for the federal courts in response to growing legal and illegal immigration, rising crime rates, and an expanding diverse urban population. The growing and thriving city of McAllen, Texas, needs a better federal courthouse to serve the community.

Bentsen Tower, which currently houses the U.S. Courts in leased space, does not and cannot provide adequate space for the courts that satisfies their operations and their security requirements. Its 1982 construction as a commercial office building cannot satisfy some of the unique requirements of a U.S. Courthouse, and it cannot be altered to meet those requirements.

The limitations include:

- Small floorplate that limits flexibility and adjacencies
- Small lobby without adequate room for security screening
- Insufficient egress for public assembly on upper floors
- Building envelope cannot meet current federal energy goals. While energy performance is important to the federal government, it is not critical for the current leased facility to meet energy goals. Energy costs will be higher for buildings that do not meet the energy goals.

In addition, the Bentsen Tower building was not designed to meet current security standards for:

- Separate circulation for Judges, Public or Prisoners
- Neither the building envelope design nor the setback are sufficient to mitigate blast impact.

EXISTING BUILDING CONDITIONS



**BENTSEN TOWER
LEASED BUILDING**

EXISTING BUILDING CONDITIONS SITE PLAN

EXISTING BUILDING CONDITIONS

The building was constructed as a commercial office building and is typical of the quality of construction and building systems expected of a Class B developer building of that era. It still retains its predominantly single-pane glass façade, small lobby, non-automated building system and original plumbing, all approaching 40 years old. It is important to note that because this building was never constructed to serve as a courthouse, it was not designed to meet current security standards for blast mitigation or vehicular approach, nor does it have the ability – without major renovation -- to provide separate circulation for Judges, Public and Prisoners.

As a leased facility, maintenance and facility improvements in support of the court’s mission are the responsibility of the building owner (Lessor), not GSA. The GSA Property Manager and the Bentsen Tower occupants both report extensively delayed responses and poor execution by the Lessor for maintenance and other repairs, as well as agency requested improvements.

Based on a series of site assessments, the key findings for security, building condition, and life safety are summarized below:

(b) (7)(F)



BUILDING CONDITION: Bentsen Tower was constructed in 1983 and its condition is directly related to the age of the building. The original building design is far inferior to GSA’s current building requirements in terms of energy efficiency, life safety, and construction. The existing building systems are aging and will require continued repair and replacement.

LIFE SAFETY: The current exit capacity is not sufficient for the occupant loads on the 8th and 10th floors, and closely challenges the occupant load on the 9th floor per the previous 2003 International Building Code (IBC). The occupant load is exceeded on all floors when applying the current NFPA 101, 2012 Edition factors.

ACCESSIBILITY: Architectural Barriers Act Accessibility Standard (ABAAS) concerns have been corrected in previous improvements to the building, including restrooms, accessible paths, etc. Tours of the building have revealed no significant issues with ABAAS requirements.

EXISTING BUILDING CONDITIONS

GSA, the Court, U.S. Marshals Service, and the Lessor have made changes in an effort to update the facility to better service its occupants. Some of these efforts have been successful, many have been partially successful, and some conditions simply cannot be solved due to the limitations of trying to adapt an office building to function as a courthouse.

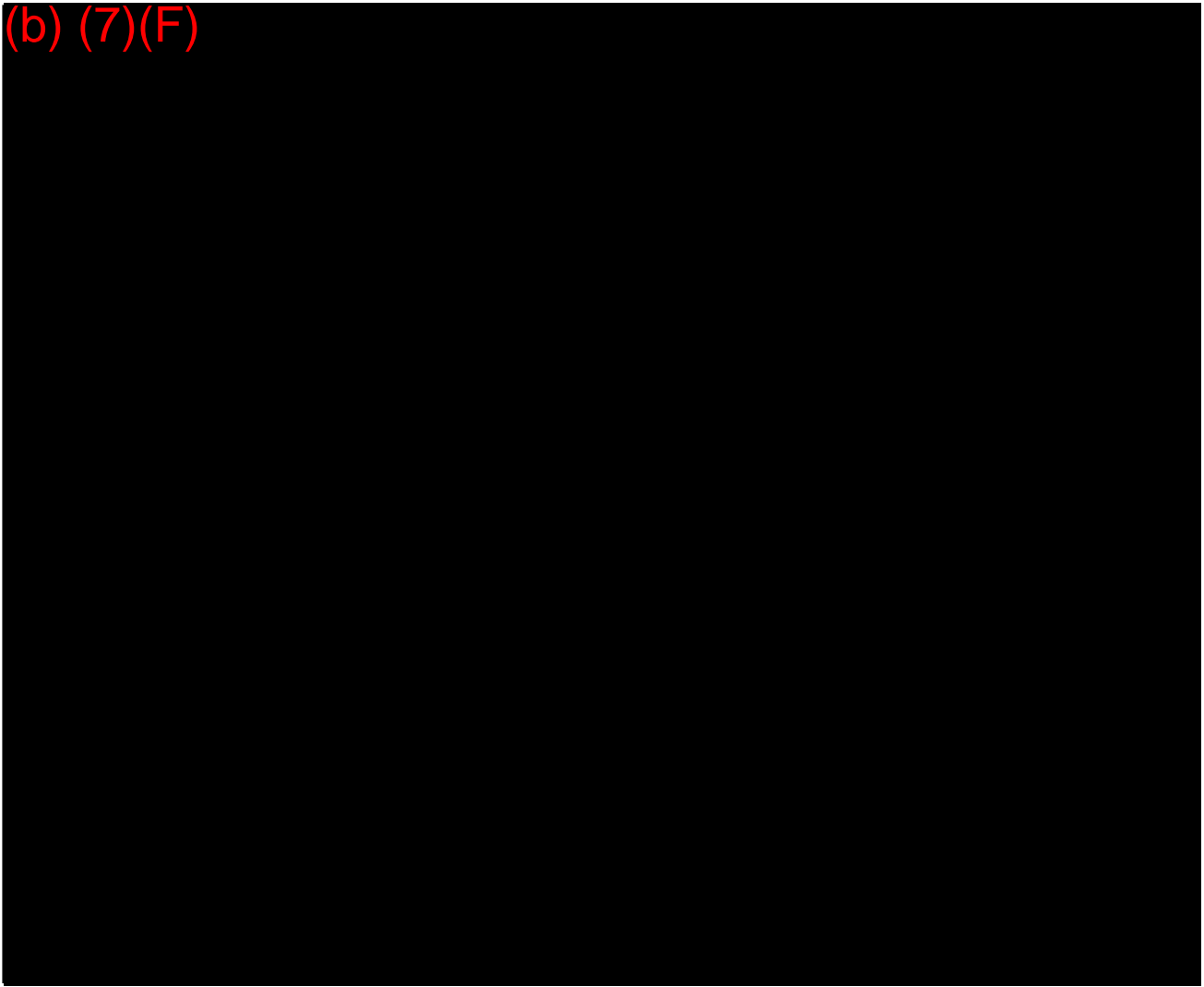
There is continued investment in tenant improvements needed to address growing caseload and staff and the need to provide adequate security. Ongoing improvement projects include:

(b) (7)(F)



AGENCY REQUIREMENTS

Table 10-9. Current Stacking Diagram, Bentsen Tower



Bentsen Tower Stacking Diagram

McAllen, TX

U.S. COURTHOUSE

Leased Building built - 1982

EXISTING TENANTS

DISTRICT/BANKRUPTCY COURT	41,059	USF
(6) Chambers & (6) Courtrooms		
Chambers: 3 Dist, 2 Mag, 1 Bank		
Ctrms: 3 Dist, 2 Mag, 1 Bank		
USMS	29,856	USF
U.S. ATTY	17,131	USF
PROBATION	25,171	USF
FEDERAL PUBLIC DEFENDER	6,935	USF
TOTAL	120,152	USF

AGENCY 10-YEAR REQUIREMENTS (2027)

DISTRICT COURT	69,912	USF
(8) Chambers & (7) Courtrooms:		
Chambers: 3 Dist, 2 SR Dist, 2 Mag, 1 Bank		
Ctrms: 3 Dist, 1 SR Dist, 2 Mag, 1 Bank		
PROBATION	22,912	USF
USMS (incl. Ctrm holding)	24,460	USF
U.S. ATTY	25,000	USF
GSA & JOINT USE	3,730	USF
FEDERAL PUBLIC DEFENDER	10,414	USF
TOTAL	155,978	USF

AGENCY REQUIREMENTS SUMMARY

Incorporates Courtroom Sharing Policy

COURTROOM UTILIZATION STUDY - GSA Feasibility Study

PROJECT NAME: McAllen, TX

ESTIMATED OCCUPANCY DATE: TBD

Rev'd. 12.16.2016

NAME	YEAR	CODE	CURRENT		PROJECTED 10-YEAR RQT. (2027)				COMMENTS
	Eligible Sr		Location	Ctrm. [OSF]	Location	Ctrm. [OSF]	Ctrm	Chm	
DISTRICT									
HINOJOSA	2015	DJ	BT	2,251	-----	-----	0	0	
ALVAREZ	2023	DJ	BT	2,300	-----	-----	0	0	
CRANE	2030	DJ	BT	2,290	NEW CT	2,400	1	1	
REPLM'T. JUDGE		DJ	-----	-----	NEW CT	2,400	1	1	Replm't. for Hinojosa
REPLM'T. JUDGE		DJ	-----	-----	NEW CT	2,400	1	1	Replm't. for Alvarez
					SUBTOTAL		3	3	
SENIOR									
HINOJOSA	2015	SDJ	-----	-----	NEW CT	SHARE	0	1	
ALVAREZ	2023	SDJ	-----	-----	NEW CT	2,400	1	1	
					SUBTOTAL		1	2	
MAGISTRATE									
ORMSBY		MJ	BT	1,882	NEW CT	1,800	1	1	
RAMOS		MJ	BT	1,866	NEW CT	1,800	1	1	Currently utilizes district ctrm
					SUBTOTAL		2	2	
BANKRUPTCY									
RODRIGUEZ		BJ	BT	2,272	NEW CT	1,800	1	1	Currently utilizes district ctrm
					SUBTOTAL		1	1	
							7	8	
FOOTNOTES & OTHER COMMENTS: BT = Bentsen Tower; NEW CT = New Courthouse									

United States Courts**McAllen, TX - TXS - 2027**Area Summaries by Court Component
*Court and Court Related*APPROVED BY CIRCUIT COUNCIL
1.26.2017**FEASIBILITY STUDY**

Component	Qty of Positions	Usable Sq Ft
District Judge Chambers Suites	3	6,036
District Judge Courtroom, Associated Spaces & Jury Facilities	3	16,699
Senior District Judge Chambers Suites	2	4,024
Senior District Judge Courtroom, Associated Spaces & Jury Facilities	1	5,506
Magistrate Judge Chambers Suites	2	3,229
Magistrate Judge Courtroom, Associated Spaces & Jury Facilities	2	9,325
Jury Assembly Suite	0	2,530
Grand Jury Suites	0	1,433
Court Shared Support Space	0	3,345
District Clerk	25	9,541
Probation	104	22,912
Pretrial Services	0	0
Federal Defender (Trial Prep Space)	0	450
Bankruptcy Clerk	2	2,180
Bankruptcy Judge Chambers Suites	1	1,614
Bankruptcy Judge Courtroom, Associated Spaces and Jury Facilities	1	4,000
Bankruptcy Administrator	0	0
COA Resident Judge Chambers Suites	0	0
COA Non-Resident Judge Chambers Suites	0	0
COA Resident Senior Judge Chambers Suites	0	0
COA Non-Resident Senior Judge Chambers Suites	0	0
COA Judge Courtroom & Associated Spaces	0	0
COA Clerk	0	0
Circuit Satellite Library	0	0
Shared Chambers Collection	0	0
Circuit Executive's Office	0	0
Senior Staff Attorney	0	0
Pre-Argument/Conference Attorney	0	0
Bankruptcy Appellate Panel (BAP) Clerk	0	0
Total Usable Square Feet		92,824

United States Courts**McAllen, TX - TXS - 2047**Area Summaries by Court Component
*Court and Court Related*1.27.2017
Feasibility Study

Component	Qty of Positions	Usable Sq Ft
District Judge Chambers Suites	3	6,036
District Judge Courtroom, Associated Spaces & Jury Facilities	3	16,699
Senior District Judge Chambers Suites	3	6,012
Senior District Judge Courtroom, Associated Spaces & Jury Facilities	2	10,952
Magistrate Judge Chambers Suites	2	3,229
Magistrate Judge Courtroom, Associated Spaces & Jury Facilities	2	9,325
Jury Assembly Suite	0	2,530
Grand Jury Suites	0	1,433
Court Shared Support Space	0	3,374
District Clerk	27	9,999
Probation	120	26,327
Pretrial Services	0	0
Federal Defender (Trial Prep Space)	0	450
Bankruptcy Clerk	2	2,180
Bankruptcy Judge Chambers Suites	1	1,614
Bankruptcy Judge Courtroom, Associated Spaces and Jury Facilities	1	4,000
Bankruptcy Administrator	0	0
COA Resident Judge Chambers Suites	0	0
COA Non-Resident Judge Chambers Suites	0	0
COA Resident Senior Judge Chambers Suites	0	0
COA Non-Resident Senior Judge Chambers Suites	0	0
COA Judge Courtroom & Associated Spaces	0	0
COA Clerk	0	0
Circuit Satellite Library	0	0
Shared Chambers Collection	0	0
Circuit Executive's Office	0	0
Senior Staff Attorney	0	0
Pre-Argument/Conference Attorney	0	0
Bankruptcy Appellate Panel (BAP) Clerk	0	0
Total Usable Square Feet		104,160

Location:					
McAllen, TX					
Prepared by:		Date:			
Perando		2/2/2017	Set Date		
USMS FACILITY PLAN					
Space Title	Minimum Square Feet	Quantity Required	Square Feet	Circulation Factor	Total Square Feet
Prisoner Spaces					
Prisoner Vehicle Sallyport (garage)	1850	1	1850		
Gun Closet	36	1	36		
Prisoner Processing	560	1	560		
Prisoner Elevator	100	1	100		
Detention Cells	200	12	2400		
Isolation Cells	100	6	600		
Prisoner Property	40	1	40		
Attorney/Prisoner Interview Rooms	75	8	600		
Multi Defendant Interview Rooms	150	4	600		
Bond Release Corridor	75	1	75		
Courtroom Holding Cells	100	Single courtroom: 1 cell, Paired courtrooms: 2 cells			
Courtroom sound lock	60	1 sound lock per courtroom (Programmed with Court Space)			
Prisoner Space Areas Total			6861	30%	8919
Non-Prisoner Spaces USMS Suite					
Public Reception Room	120	1	120		
Administrative Area	64	12	768		
Public Transaction Area (In admin area)	100	1	100		
US Marshal's office (including restroom)	300	0	0		
Chief Deputy US Marshal's office	250	0	0		
Asst Chief Deputy US Marshal's office	150	1	150		
Supervisor's office	120	6	720		
Administrative Officer's office	120	1	120		
Operations Area (Squad Room)	64	50	3200		
Prisoner Galley	200	1	200		
Conference Room	500	1	500		
Work/Mail Room	200	1	200		
Supply Storage Room	150	2	300		
Command & Control Center	500	1	500		
Security Equipment Room	200	1	200		
Computer/IT Room	150	1	150		
Vault	200	1	200		
Tactical Equipment	300	1	300		
Secure Storage	200	1	200		
FIT Room	1000	1	1000		
Locker/Shower Room	600	2	1200		
Staff Restrooms	45	4	180		
Court Security Officer Room (50sf per CSO max 400 sf)	50	20	400		
USMS security/IT riser closets (will vary based on design)	30	Programmed by GSA			
Non Prisoner Space Totals			10708	30%	13920
Secured Parking Spaces (Law Enforcement GOV's)		57			
Grand Total Including the Circulation Factor			17569	30%	22840

DESIGN OPTIONS

OPTION 01a:
New Construction Stand Alone with full FPD and USAO

COURTS ¹	92,374 USF
USMS (incl. Ctrm holding)	24,460 USF
FULL USAO	25,000 USF
FPD ²	10,414 USF
GSA & Joint Use ³	3,730 USF

TOTAL 155,978 USF
232,803 GSF (EXCL PARKING)

PARKING 131 SPACES = 58,950 GSF⁴
STRUCTURED:
(8) Judges, (1) D. Clerk, (1) B. Clerk, (1) USPO, (1) FPD, (57) USMS, (6) GSA, (56) USAO
SURFACE:
(77) Probation, (14) GSA

ALT PARKING 239 spaces = 107,550 GSF
Includes (77) USPO and an additional (31) FPD structured spaces.

***Useable Square Footage (USF)**
***Gross Square Footage (GSF)**

OPTION 01b:
New Construction Stand Alone with full FPD and USAO trial prep

COURTS ¹	92,374 USF
USMS (incl. Ctrm holding)	24,460 USF
USAO	1,500 USF
FPD ²	10,414 USF
GSA & Joint Use ³	3,730 USF

TOTAL 132,478 USF
197,728 GSF (EXCL PARKING)

PARKING 76 SPACES = 34,200 GSF⁴
STRUCTURED:
(8) Judges, (1) D. Clerk, (1) B. Clerk, (1) USPO, 1) FPD, (57) USMS, (6) GSA, (1) USAO
SURFACE:
(77) Probation, (14) GSA

OPTION 02a:
New Construction Stand Alone with trial prep FPD and with full USAO

COURTS	92,824 USF
USMS (incl. Ctrm holding)	24,460 USF
FULL USAO	25,000 USF
FPD (incl. In AnyCourt)	450 USF
GSA & Joint Use ³	3,730 USF

TOTAL 146,014 USF
217,931 GSF (EXCL PARKING)

PARKING 131 SPACES = 58,950 GSF⁴
STRUCTURED:
(8) Judges, (1) D. Clerk, (1) B. Clerk, (1) USPO, (1) FPD, (57) USMS, (6) GSA, (56) USAO
SURFACE:
(77) Probation, (14) GSA

¹ 450 USF subtracted to remove FPD trial prep
² Requires Judicial Conference approval to house FPD office in a courthouse
³ Current GSA policy allows for GSA space to be allocated at 136 usf per staff all-in. Space requirements for GSA (and all agencies) will be confirmed at Phase 2 feasibility study
⁴ This includes 1 space for a bankruptcy clerk. Phase 2 feasibility study will confirm parking requirements and adjust for a consolidated court.

OPTION 02b:
New Construction Stand Alone with trial prep FPD and USAO trial prep

COURTS	92,824 USF
USMS (incl. Ctrm holding)	24,460 USF
USAO	1,500 USF
FPD (incl. In AnyCourt)	450 USF
GSA & Joint Use ³	3,730 USF

TOTAL 122,514 USF
182,857 GSF (EXCL PARKING)

PARKING 75 SPACES = 33,750 GSF⁴
STRUCTURED:
(8) Judges, (1) D. Clerk, (1) B. Clerk, (1) USPO, (1) FPD, (57) USMS, (6) GSA, (1) USAO
SURFACE:
(77) Probation, (14) GSA

OPTION 01a:
New Construction Stand Alone with full FPD and USAO

(FY21 Site & Design)
(FY23 Construction Start)

(b) (4)

\$198,460,000 ETPC
\$ 547.90 per SF

\$110,569,000 30 YR Net Present Value

\$23,823,000 Additional for ALT PARKING
\$222,283,000 ETPC - alt parking option

ETPC - ESTIMATED TOTAL PROJECT COST

OPTION 01b:
New Construction Stand Alone with full FPD and USAO trial prep

(FY21 Site & Design)
(FY23 Construction Start)

(b) (4)

\$164,143,000 ETPC
\$ 560.67 per SF

\$107,247,000 30 YR Net Present Value

OPTION 02a:
New Construction Stand Alone with trial prep FPD and with full USAO

(FY21 Site & Design)
(FY23 Construction Start)

(b) (4)

\$189,087,000 ETPC
\$ 547.86 per SF

\$110,577,000 30 YR Net Present Value

OPTION 02b:
New Construction Stand Alone with trial prep FPD and USAO trial prep

(FY21 Site & Design)
(FY23 Construction Start)

(b) (4)

\$154,745,000 ETPC
\$ 561.50 per SF

\$107,408,000 30 YR Net Present Value

¹ Full site purchase and relocation costs are estimated for a standard courthouse 5 acre site in downtown McAllen. Note: the city is offering GSA a site. Its conditions are unknown. A thorough National Environmental Policy Act (NEPA) analysis would be required. Its size and location may not be in the best interest of US Government.

(b) (4)